

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

TRISTAN ASSANCE,

Plaintiff,

v.

LINCOLN COUNTY, BRANDON  
HOLZER, JAMES KIRK KRAFT, and  
DOES 1-10,

Defendants.

9:24-cv-00009-DWM

ORDER

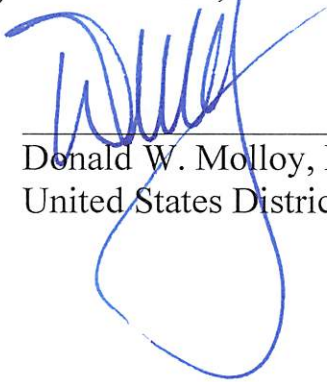
Defendant Brandon Holzer has moved unopposed to stay these proceeding. pending the outcome of his interlocutory appeal of this Court's Order denying qualified immunity on the pleadings, (*see* Doc. 35). (Doc. 42.) The Court does not believe an appeal is appropriate at this early stage of the case. However, recognizing the parties' stipulation and the law on this issue, *see Mitchell v. Forsyth*, 472 U.S. 511, 530 (1985),

IT IS ORDERED that the motion (Doc. 42) is GRANTED. This matter is STAYED pending the outcome of Holzer's appeal. The deadlines and March 3,

2025 jury trial set in the April 30, 2024 Scheduling Order (Doc. 18) are  
VACATED.

IT IS FURTHER ORDERED that Holzer must inform this Court within  
fourteen (14) days of either the dismissal of or the issuance of a mandate in his  
appeal.

DATED this 10<sup>th</sup> day of December, 2024.



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Donald W. Molloy, District Judge  
United States District Court